

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

SEP 04 2019

UNITED STATES OF AMERICA

David J. Bradley, Clerk of Court

v.

NOEL EXINIA

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CRIMINAL NO. 19-647

INDICTMENT

The Grand Jury Charges:

Introduction

At all times material to this indictment:

1. On or about January 26, 2005, a federal Grand Jury indicted Noel Exinia in the Southern District of Texas, for Conspiracy to Possess with Intent to Distribute a Controlled Substance Exceeding 100 Kilograms of Marihuana and Exceeding five (5) Kilograms of Cocaine, in a case number 1:05-cr-083.
2. On or about September 28, 2005, Noel Exinia proceeded to trial in case No. 1:05-cr-083 before Judge Andrew Hanen in a United States District Court in Houston, Southern District of Texas.
3. The United States was represented by Assistant United States Attorney Charles Lewis in case No. 1:05-cr-083.

4. Judge Andrew Hanen and Assistant United States Attorney Charles Lewis were officers and employees of the United States engaged in the performance of their official duties as defined in Title 18, United States Code, Section 1114.

5. On or about October 3, 2005, during the fourth day of the jury trial, Noel Exinia entered a plea of guilty before Judge Andrew Hanen, in Federal District Court, to Conspiracy to Possess With Intent to Distribute a Controlled Substance Exceeding 100 Kilograms of Marihuana and Exceeding five (5) Kilograms of Cocaine, in Houston, Southern District of Texas, in case number 1:05-cr-083.

6. On or about March 28 2006, Noel Exinia was sentenced to fifty (50) years in the Federal Bureau of Prisons by Judge Andrew Hanen.

COUNT ONE
Retaliating Against a Federal Judge
18 U.S.C. 1521 & 2

7. Paragraphs one through six are incorporated by reference as though fully set forth in paragraphs eight through thirteen.

8. On or about November 14, 2014, in the Southern District of Texas and elsewhere, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, in Toombs County, Georgia, in instrument number 1382014-1583, a false lien and encumbrance against the real and personal property of Judge Andrew Hanen, a Federal District Judge in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Judge Andrew Hanen in the Southern District of Texas, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars ((\\$100,000,000) and a false claim against property of four-hundred million dollars (\$400,000,000).

All in violation of Title 18, United States Code, Sections 1521 and 2.

COUNT TWO
Retaliating Against a Federal Employee
18 U.S.C. 1521 & 2

9. On or about November 14, 2014, in the Southern District of Texas and elsewhere, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, in Toombs County, Georgia, in instrument number 1382014-1583, a false lien and encumbrance against the real and personal property of Charles Lewis, an Assistant United States Attorney in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Charles Lewis in the Southern District of Texas, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars ((\$100,000,000) and a false claim against property of four-hundred million dollars (\$400,000,000).

All in violation of Title 18, United States Code, Sections 1521 and 2.

COUNT THREE
Retaliating Against a Federal Judge
18 U.S.C. 1521 & 2

10. On or about December 29, 2014, in the Southern District of Texas, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, in the Southern District of Texas, in case number B-05-083, a false lien and encumbrance against the real and personal property of Judge Andrew Hanen, a Federal District Judge in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Judge Andrew Hanen, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars (($\$100,000,000$) and a false claim against property of four-hundred million dollars ($\$400,000,000$).

All in violation of Title 18, United States Code, Sections 1521 and 2.

COUNT FOUR
Retaliating Against a Federal Employee
18 U.S.C. 1521 & 2

11. On or about December 29, 2014, in the Southern District of Texas, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, in the Southern District of Texas, in case number B-05-083, a false lien and encumbrance against the real and personal property of Charles Lewis, an Assistant United States Attorney in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Charles Lewis, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars ((\\$100,000,000) and a false claim against property of four-hundred million dollars (\\$400,000,000).

All in violation of Title 18, United States Code, Sections 1521 and 2.

COUNT FIVE
Retaliating Against a Federal Judge
18 U.S.C. 1521 & 2

12. On or about January 6, 2015, in the Southern District of Texas, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, in Cameron County, instrument number 2015-00000361, a false lien and encumbrance against the real and personal property of Judge Andrew Hanen, a Federal District Judge in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Judge Andrew Hanen, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars ((\\$100,000,000) and a false claim against property of four-hundred million dollars (\\$400,000,000).

All in violation of Title 18, United States Code, Sections 1521 and 2.

**COUNT SIX
Retaliating Against a Federal Judge
18 U.S.C. 1521 & 2**

13. On or about January 6, 2015, in the Southern District of Texas, the defendant,

NOEL EXINIA,

filed, commanded the filing of, and induced the filing in a public record, with the clerk's office of Cameron County, instrument number 2015-00000361, a false lien and encumbrance against the real and personal property of Charles Lewis, an Assistant United States Attorney in the Southern District of Texas, and an officer and employee of the United States Government described in Title 18, United States Code, Section 1114, on account of the performance of official duties by Charles Lewis, and the defendant knowing and having reason to know that such lien and encumbrance was false and contained materially false, fictitious, and fraudulent statements and representations, including a false agreement to pay the defendant one-hundred million dollars ((\$100,000,000) and a false claim against property of four-hundred million dollars (\$400,000,000).

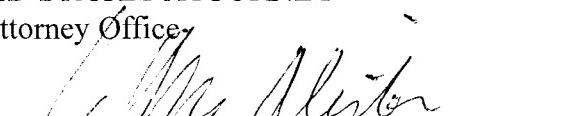
All in violation of Title 18, United States Code, Sections 1521 and 2.

A TRUE BILL

ORIGINAL SIGNATURE ON FILE

RYAN K. PATRICK
UNITED STATES ATTORNEY
U.S. Attorney Office

BY:


Jim McAlister
Assistant United States Attorney
Southern District of Texas